

AMENDMENTS TO THE DRAWINGS:

A replacement drawing is submitted for Figure 15 labeling this figure "prior art".

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

A replacement drawing is submitted for Figure 15 labeling this figure as prior art to address the drawing objection noted in the Official Action. The above-change is the only change and is believed not to introduce new matter.

Claims 1-24 were previously pending in the application. New claim 25 is added. Therefore, claims 1-25 are presented for consideration. Applicant notes with appreciation the indication of allowable subject matter in claims 1-18 and 21-24.

Claims 1-24 are amended to address the claim objections noted in the Official Action by incorporating the changes suggested in the Official Action.

Claims 1 and 19 are amended to address the 35 USC §112, second paragraph rejection noted in the Official Action. Specifically, the phrase "and/or" is more clearly defined as at least one of "a" and "b". By this recitation, either "a" or "b" or "a" and "b" is recited. Support for the amendment can be found on page 19, lines 1-7, for example.

Claims 19 and 20 are rejected as anticipated by HORIE et al. 6,054,887. This rejection is respectfully traversed.

Claim 19 recites a capacitive load connected to an output terminal.

The position set forth in the Official Action is that the circuitry connected to output terminal 3 inherently will have capacitance therein so that the downstream circuitry is reasonable to be considered as a capacitive load.

However, this position is neither supported by the reference nor supported by the Federal Circuit's view of inherency.

Figure 7 of HORIE shows output terminal 3 having switches 58, 59 and 60 connected downstream thereof. One of ordinary skill in the art would not recognize that a switch stores an electric charge as required of a capacitor. Therefore, it is not reasonable to consider the switches downstream of output terminal 3 as a capacitive load.

Moreover, the Federal Circuit has held that "to establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient'". *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

Since HORIE teaches switches downstream of the output terminal 3, and since such switches are not a capacitive load, a capacitive load would not necessarily be missing from the

description of HORIE. Accordingly, inherency has not been established and claim 19 and claim 20 which depends therefrom are believed patentable over HORIE.

New claim 25 combines claim 19 with part of allowable claim 21 and recites first and second amplifier circuits having respectively first and second operating ranges overlapping at least in part each other.

The HORIE reference does not teach or suggest these features. Accordingly, claim 25 is also believed patentable over the cited prior art.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of \$50 for one extra claim of any type added herewith to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX

The Appendix includes the following item:

- replacement sheet for Figure 15